41. (Amended) The device of Claim 34 wherein the light source comprises a plurality of red, a plurality of green, and a plurality of blue LEDs.

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42. (Amended) The device of Claim 34 wherein the sequential color circuit is positioned in the display module housing.

43. (Amended) The device of Claim 34 further comprising a head-mountable mechanism.

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46. (Amended) The device of Claim 34 wherein the display panel comprises an active matrix circuit bonded to a transmissive substrate.

REMARKS

Claims 1-46 are pending in the application. All claims have been rejected under the judicially-created doctrine of obviousness-type double patenting as being unpatentable over claims 1-7 of U.S. Patent No. 6,452,572. That rejection is respectfully traversed.

Claims 1-46, including independent Claims 1, 15, 20, and 34, are limited to a sequential color circuit for generating a plurality of colors in sequence, not recited in the claims of the '572 patent.

As stated in the MPEP, in determining whether a nonstatutory basis exists for a double patenting rejection, the question is "does any claim in the application define an invention that is merely an obvious variation of an invention claimed in the patent?"[1] In addition, "when considering whether the invention defined in a claim of an application is an obvious variation of the invention defined in the claim of the patent, the disclosure of the patent may not be used as prior art."[2] Following the M.P.E.P., the double patenting rejection is improper. Independent claims 1, 20, and 34 of the present application are limited to "a sequential color circuit" for

[1]M.P.E.P. §804 (II)(B)(1)

[2]*Id.*

generating a plurality of colors in sequence. Similarly, independent claim 15 of the present application is limited to "rendering an image for each subframe in temporal sequence on the matrix display panel." The claims of the '572 patent are directed to a head mounted display system and do not suggest these features. Thus, the invention recited in claims 1-46 of the present application is not an obvious variation of the invention defined in claims 1-7 of the '572 patent.

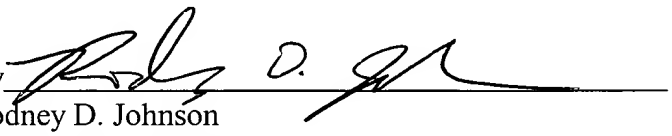
Reconsideration and withdrawal of the rejection is respectfully requested.

## CLOSING

In view of the above amendments and remarks, it is believed that all claims are in condition for allowance, and it is respectfully requested that the application be passed to issue. If the Examiner feels that a telephone conference would expedite prosecution of this case, the Examiner is invited to call the undersigned attorney at (978) 341-0036.

Respectfully submitted,

HAMILTON, BROOK, SMITH & REYNOLDS, P.C.

By 

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Dated: January 30, 2003




MARKED UP VERSION OF AMENDMENTS

Claim Amendments Under 37 C.F.R. § 1.121(c)(1)(ii)

1. (Amended) A portable communications device comprising:

a wireless [telephone] transceiver that receives audio and image data;

[an audio transducer;]

a light source having a plurality of light emitting diode (LED) devices;

a liquid crystal display panel optically coupled to [a] the light source for rendering a viewable image from the image data;[,the light source having a plurality of light emitting diode devices (LEDs);]

a lens [that enlarges images on the display panel] optically coupled to the display panel; and

a sequential color circuit [connected] coupled to the display panel and the light source such that the light source generates a plurality of colors in sequence.

2. (Amended) The device of Claim 1 wherein the [LEDs] light source comprises red, green, and blue LEDs.

6. (Amended) The device of Claim 1 [further comprising a] wherein the lens [for magnifying an] magnifies the image [of] on the [liquid crystal] display panel.

7. (Amended) The device of Claim 1 wherein the display panel comprises an active matrix [display] circuit.

9. (Amended) The device of Claim 1 wherein the light source comprises a plurality of red, a plurality of green, and a plurality of blue LEDs.

10. (Amended) The device of Claim 1 wherein the display panel and the sequential color circuit are positioned in a display module housing that is attached to a transceiver housing.

11. (Amended) The device of Claim 1 [wherein the device comprises a head mounted display system] further comprising a head-mountable mechanism.

12. (Amended) The device of Claim 1 further comprising a control processor [connected] coupled to the sequential color circuit.

13. (Amended) The device of Claim 12 further comprising a memory [connected] coupled to the control processor.

14. (Amended) The device of Claim 1 wherein the display panel comprises an active matrix circuit bonded to a transmissive substrate.

15. (Amended) A method of displaying images with a portable communications device comprising:

receiving audio and image data with a wireless [telephone] transceiver;

[generating a plurality of image] with a liquid crystal [mix] matrix display panel, generating a plurality of image subframes for each color image frame, each subframe [having] representing a different color;

coupling a lens [that enlarges images on] to the matrix display panel; [and]

[displaying] rendering an image for each subframe in temporal sequence on the [liquid crystal] matrix display panel; and [illuminated by a plurality of light emitting diode devices(LEDs) to display a color image frame that is enlarged by a lens that is optically couples to the matrix display panel.]

illuminating the matrix display panel by a plurality of light emitting diode (LED) devices to display a color image frame that is viewable through the lens.

16. (Amended) The method of Claim 15 further comprising [providing] enclosing the transceiver in a portable telephone housing [that contains the transceiver].

17. (Amended) The method of Claim 16 further comprising [providing a display housing that houses the display, the display housing being] pivotably [connected] coupling a display

housing to the telephone housing, wherein the matrix display panel is enclosed by the display housing.

18. (Amended) The method of Claim 15 [further comprising the step of providing] wherein the matrix display panel includes an active matrix [liquid crystal display panel] circuit.

19. (Amended) The method of Claim 15 wherein the LEDs for illuminating the display [is] are a backlight.

20. (Amended) A portable communications device comprising:

a wireless telephone transceiver that receives image data;

an audio transducer;

a light source having a plurality of light emitting diode (LED) devices;

a liquid crystal display panel optically coupled to [a] the light source [, the light source having a plurality of light emitting diode devices (LEDs)];

a lens [that enlarges] for viewing images rendered on the display panel; and

a sequential color circuit [connected] coupled to the display panel and the light source such that the light source generates a plurality of colors in sequence.

21. (Amended) The device of Claim 20 wherein the [LEDs] light source comprises red, green, and blue LEDs.

23. (Amended) The device of Claim 20 further comprising a reflector around the [light emitting devices (LEDs)] LEDs.

25. (Amended) The device of Claim 20 [further comprising] wherein the a lens [for magnifying an] magnifies the rendered image [of] on the liquid crystal display panel.

26. (Amended) The device of Claim 20 wherein the display panel comprises an active matrix [display] circuit.

28. (Amended) The device of Claim 20 wherein the light source comprises a plurality of red, a plurality of green, and a plurality of blue LEDs.

29. (Amended) The device of Claim 20 wherein the display panel and the sequential color circuit are positioned in a display module housing that is attached to a transceiver housing.

30. (Amended) The device of Claim 20 [wherein the device comprises] further comprising a [head mounted display system] head-mountable mechanism.

33. (Amended) The device of Claim 23 wherein the display panel comprises an active matrix circuit bonded to a transmissive substrate.

34. (Amended) A wireless telephone comprising:

a telephone housing;

a wireless transceiver within the housing that receives audio and image data;

[an audio transducer;]

a light source having a plurality of light emitting diode (LED) devices;

a liquid crystal display panel optically coupled to a light source[, the light source having a plurality of light emitting diode devices (LEDs)];

a lens [that enlarges] for viewing images rendered on the display panel;

[the display panel, light source and lens being mounted in] a display module housing attached to the telephone housing, the display panel, light source and lens being mounted in the display module housing; and

a sequential color circuit [connected] to the display panel and the light source such that the light source generates a plurality of colors in sequence.

35. (Amended) The device of Claim 34 wherein the [LEDs] light source comprises red, green, and blue LEDs.

38. (Amended) The device of Claim 34 [further comprising a] wherein the lens [for magnifying an] magnifies the rendered image [of the liquid crystal display panel].

39. (Amended) The device of Claim 34 wherein the display panel comprises an active matrix [display] circuit.

41. (Amended) The device of Claim 34 wherein the light source comprises a plurality of red, a plurality of green, and a plurality of blue LEDs.

42. (Amended) The device of Claim 34 wherein [the display and] the sequential color circuit [are] is positioned in [a] the display module housing [that is attached to a transceiver housing].

43. (Amended) The device of Claim 34 [wherein the device comprises] further comprising a [head mounted display system] head-mountable mechanism.

46. (Amended) The device of Claim 34 wherein the display panel comprises an active matrix circuit bonded to a transmissive substrate.